



U.S. Department  
of Transportation

**Pipeline and Hazardous  
Materials Safety Administration**

**May 1, 2015**

East Building, PHH-30  
1200 New Jersey Avenue S.E.  
Washington, D.C. 20590

DOT-SP 16392  
(FIRST REVISION)

EXPIRATION DATE: February 28, 2017

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Gem Air, LLC  
Salmon, ID  
Certificate number: GAJA 077E
2. PURPOSE AND LIMITATION:
  - a. This special permit authorizes the transportation in commerce of propane aboard passenger-carrying aircraft within or into remote wilderness areas in the United States. This special permit provides no relief from the Hazardous Materials Regulations (HMR) other than as specifically stated herein. The most recent revision supersedes all previous revisions.
  - b. The safety analyses performed in the development of this special permit only considered the hazards and risks associated with the transportation in commerce.
  - c. No party status will be granted to this special permit.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 172.101 Hazardous Materials Table Column (9A) in that propane is forbidden aboard passenger-carrying aircraft and § 175.75(b) in that propane may be carried in the cabin of a passenger-carrying aircraft, except as specified herein.
5. BASIS: This special permit is based on the application of Gem Air, LLC dated January 29, 2015 submitted in accordance with § 107.105 and the public proceeding thereon and additional information dated April 10, 2015.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous Materials Description			
Proper Shipping Name	Hazard Class/ Division	Identification Number	Packing Group
Propane	2.1	UN1978	N/A

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Prescribed packagings are DOT Specification 4BA, 4BW, or DOT 39 cylinders.

b. OPERATIONAL CONTROLS -

(1) No more than 60 pounds net weight of propane may be transported aboard each aircraft.

(2) Prior to loading the cylinders aboard the aircraft, the pilot must check the cylinders for possible leakage, ensure that the valve is closed tightly, and perform a visual check for cylinder integrity. The cylinders must be loaded and secured in a method which will prevent movement during transportation.

(3) Before each flight, the pilot-in-command must:

(i) Inform each passenger of the location of the propane and the hazards involved;

(ii) Prohibit smoking, lighting matches, the carrying of any lighted cigar, pipe, cigarette or flame, and the use of anything that might cause an open flame or spark, while loading, unloading, or during flight; and

(iii) Ensure the area or compartment in which the propane is loaded is suitably ventilated to prevent the accumulation of vapors.

(4) This special permit authorizes the use of small passenger-carrying aircraft, in other than scheduled passenger operations, operating within or into a remote area in the United States to carry not more than 60 pounds net weight of propane if -

(i) Transportation by air is the only practical means of delivering the propane;

(ii) Carriage is necessary to meet the needs of a passenger on the same aircraft;

(iii) Each area or compartment in which the propane is loaded is suitably ventilated to prevent the accumulation of vapors.

(iv) Each cylinder must be loaded in such a manner that a crew member or other authorized person can see, handle and when size and weight permit, separate such packages from other cargo during flight.

(5) The aircraft to be used must be authorized by Gem Air LLC's FAA operations certificate.

8. SPECIAL PROVISIONS:

a. This special permit does not grant the authority to use foreign-controlled airspace or airports outside the United States.

b. This special permit does not waive any FAA airworthiness requirements or the need to obtain other required FAA authorizations.

9. MODES OF TRANSPORTATION AUTHORIZED: Passenger-carrying aircraft.

10. MODAL REQUIREMENTS: A current copy of this special permit must be carried aboard each aircraft used to transport packages covered by this special permit.

**May 1, 2015**

11. COMPLIANCE: Failure by a person to comply with any of the following may result in suspension or revocation of this special permit and penalties prescribed by the Federal hazardous materials transportation law, 49 U.S.C. 5101 et seq:

- o All terms and conditions prescribed in this special permit and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
- o Persons operating under the terms of this special permit must comply with the security plan requirement in Subpart I of Part 172 of the HMR, when applicable.
- o Registration required by § 107.601 et seq., when applicable.

Each "Hazmat employee", as defined in § 171.8, who performs a function subject to this special permit must receive training on the requirements and conditions of this special permit in addition to the training required by §§ 172.700 through 172.704.

No person may use or apply this special permit, including display of its number, when this special permit has expired or is otherwise no longer in effect.

Under Title VII of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU)—"The Hazardous Materials Safety and Security Reauthorization Act of 2005" (Pub. L. 109-59), 119 Stat. 1144 (August 10, 2005), amended the Federal hazardous materials transportation law by changing the term "exemption" to "special permit" and authorizes a special permit to be granted up to two years for new special permits and up to four years for renewals.

12. REPORTING REQUIREMENTS: Shipments or operations conducted under this special permit are subject to the Hazardous Materials Incident Reporting requirements specified in 49 CFR §§ 171.15 Immediate notice of certain hazardous materials incidents, and 171.16 Detailed hazardous materials incident reports. In addition, the grantee(s) of this special permit must notify the Associate Administrator for

**May 1, 2015**

Hazardous Materials Safety, in writing, of any incident involving a package, shipment or operation conducted under terms of this special permit.

Issued in Washington, D.C.:

A handwritten signature in blue ink that reads "Aiane LaValle". The signature is written in a cursive, flowing style.

for Dr. Magdy El-Sibaie

Associate Administrator for Hazardous Materials Safety

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Pipeline and Hazardous Material Safety Administration, U.S. Department of Transportation, East Building PHH-30, 1200 New Jersey Avenue, Southeast, Washington, D.C. 20590.

Copies of this special permit may be obtained by accessing the Hazardous Materials Safety Homepage at [http://hazmat.dot.gov/sp\\_app/special\\_permits/spec\\_perm\\_index.htm](http://hazmat.dot.gov/sp_app/special_permits/spec_perm_index.htm). Photo reproductions and legible reductions of this special permit are permitted. Any alteration of this special permit is prohibited.

PO: NICKS